

PROB 12C  
(7/93)

Report Date: January 29, 2010

United States District Court

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

FEB 01 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Walter Boyd McIlwain

Case Number: 2:09CR02082-001

Address of Offender:

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Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 12/4/2008

Original Offense: Theft of Firearms from a Federal Firearms Licensee, 18 U.S.C. §§ 922(u) and 924(I)(1)

Original Sentence: Prison - 2 Months;  
TSR - 34 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 11/6/2009

Defense Attorney: Kraig Gardner

Date Supervision Expires: 11/5/2011

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PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1      **Special Condition # 15:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. McIlwain failed to submit to random drug testing at Merit Resource Services (Merit) on January 11, 13, and 21, 2010.

2      **Special Condition # 14:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Mr. McIlwain failed to attend drug and alcohol treatment groups at Merit on January 12, 19, and 26, 2010.

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**Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

**Supporting Evidence:** Mr. McIlwain failed to report a change of address as of January 27, 2010.

On January 25, 2010, a home visit was conducted at the defendant's last reported address of 260 Curtis Street in White Swan, Washington. This officer was advised by a teenaged male, who resides at this residence, that the defendant has not been residing at this residence for at least 2 weeks. The male also indicated he did not know the defendant's whereabouts. To date, Mr. McIlwain has failed to notify the U.S. Probation Office of his change in residence and his current whereabouts are unknown.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

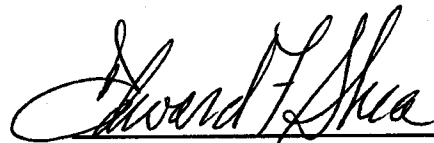
Executed on: s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other



Signature of Judicial Officer

2/1/10

Date